

## Utah Division of Oil, Gas & Mining 2011 Legislative Session

Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Actions)
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### DIVISION AND ENERGY/MINERAL BILLS

<b>*H.B. 25</b>	Mineral and Petroleum Literacy	Rep. Draxler	Allows the use of funds from the O&G Conservation Account to be used for educational programs concerning mineral and petroleum resources and industries.	11/17 NR Interim approved 1/25 House Passed 2/4 Senate Passed <b>2/7 Enrolling</b>
	<b>*Division Requested</b>			
<b>H.B. 38</b>	Severance Tax Amendments	Rep. Vickers	Clarifies that government and tribal interests are exempt from the oil and gas severance tax. Does not change the current taxation method.	1/25 House Passed 2/10 Senate Passed <b>2/11 Enrolling</b>
<b>H.B. 62</b>	Ownership of Subsurface Space for Injection	Rep. Barrus	Defines "pore space"; provides that ownership of pore space is not severed from ownership of the surface unless expressly conveyed; and addresses the ownership of pore space that is created by a mineral estate owner.	1/31 House Comm. held – planned for Interim Study. 3/10 Bill Died.
<b>H.B. 112</b>	Severance Tax Code Revisions	Rep. B. King	For O&G severance taxes, modifies the stripper oil well from 20 to 10 barrels per day, changes rate to 5% from 3% to 5%, eliminates stripper well exemption if prices > \$40/BBL or \$1.50/MCF.	2/3 Public Distribution 2/15 House Comm. Tabled 3/10 Bill Died.
<b>H.B. 347</b>	Land Designation Modifications	Rep. Wimmer	Requires legislative approval of wilderness designation, declaration, or plan and a national monument designation or declaration.	2/28 Public Distribution 3/10 Bill Died.
<b>H.B. 399</b>	Environmental Litigation Bond	Rep. Noel	Requires a plaintiff to post a bond before receiving a preliminary injunction or administrative stay; requires an unsuccessful plaintiff to pay damages to defendants harmed by a stay or injunction. Feb. 24th amend removed DEQ, and still includes DOT, SITLA, DNR.	2/24 House Passed. 3/4 Senate Passed <b>3/7 Enrolling</b>
<b>H.B. 400</b>	Regulation of Mining Operations	Rep. Noel	Amends 40-8 (Minerals) providing that political subdivisions of the state (counties, cities, etc.) do not have the authority to regulate mining operations on state or federal land. Political subdivision's ordinance is unenforceable if more restrictive than 40-8 permit.	3/4 House Passed w/amend 3/10 Senate Passed <b>3/10 Enrolling</b>

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<b>H.B. 461</b>	Energy Producer States' Agreement	Rep. Barrus	Provides for the appointment of legislative members to participate in multistate discussions involving agreements that encourage the development of domestic energy resources.	3/1 House Passed w/amend 3/9 Senate Passed <b>3/10 Enrolling</b>
<b>H.B. 475</b>	Division of Energy Amends	Rep. Barrus	Enacts provisions relating to an Office of Energy Development; gives energy advisor standing to testify before the PSC; new Office may consolidate existing State Energy Program.	3/4 House Passed 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>H.C.R. 12</b>	Concurrent Resolution Opposing U.S. Secretary of Interior's Wilderness Re-inventory	Rep. Noel	Urges the United States Secretary of the Interior to honor the 2003 Settlement Agreement and abandon the "Wild Lands" wilderness re-inventory, and urges Congress to honor longstanding commitments to multiple use public lands management	3/3 House Passed w/amend 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>H.C.R. 14</b>	Wild Lands Concurrent Resolution	Rep. Watkins	Condemns the closed process used in issuing Secretarial Order #3310 and encourages the U.S. DOI to continue the open process that characterizes the federal land use bill discussions with San Juan, Emery, Beaver, and Piute counties.	2/16 Public Distribution 3/1 House Passed 3/10 Bill Died.
<b>H.J.R. 19</b>	Joint Resolution Opposing the EPA's Regulation of Greenhouse Gases	Rep. Barrus	Expresses opposition to EPA's regulation of Greenhouse Gases without Congressional approval.	2/17 House Passed. 3/1 Senate Passed w/amend <b>3/7 Enrolling</b>
<b>H.J.R. 21</b>	Selections of Unappropriated Federal Lands Joint Resolution	Rep. Barrus	Urges Congress to adopt legislation authorizing Western States to make selections of public land within their borders under certain circumstances. Includes all mineral, oil & gas rights to leases and terminated leases	2/17 House Passed w/amend 3/3 Senate Passed <b>3/4 Enrolling</b>
<b>H.J.R. 39</b>	State Jurisdiction of Federally Managed Lands Joint Res.	Rep. Barrus	Urges Congress to relinquish all right and title of public lands in the state of Utah that are currently managed by the BLM and transfer title and jurisdiction to the state of Utah	3/2 House Passed w/amend 3/10 Senate Passed <b>3/10 Enrolling</b>

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Actions)
<b>S.B. 15</b>	Surety Requirements for Mining	Sen. Stowell	Requires the BOGM to annually establish an average cost of reclamation per acre after a Division presentation and public comment opportunity. Applies to Minerals Program on small mine and exploration permits.	11/17 NR Interim approved. 1/25 Passed Senate 2/4 Passed House <b>2/7 Enrolling</b>
<b>S.B. 221-S2</b>	State of Utah RMP for Federal Lands	Sen. Okerlund	Establishes a state land use plan for certain federal lands as identified in the bill. Plan includes preserving traditional multiple use, the highest reasonably sustainable levels of energy and mineral resources, and many other features.	3/2 Senate Passed w/Sub 3/9 House Passed <b>3/10 Enrolling</b>
<b>S.B. 282</b>	Small Mining Operations	Sen. Hinkins	Amends the definition of "small mining operations" in 40-8 (Minerals) from 5 acres or less to 10 acres or less for an unincorporated area of a county. Retains 5 acres or less parameter for an incorporated area of a county in this definition.	3/8 Senate Passed 3/9 House Passed w/amend 3/10 Senate Concurred <b>3/10 Enrolling</b>
<b>S.B. 320</b>	Deposit of Severance Tax Revenues into Permanent State Trust Fund	Sen. Hillyard	Decreases the O&G severance tax revenues to be deposited into the permanent state trust fund starting in FY12 and increases monies to the General Fund by \$6 million: threshold is increased from \$71 Million to \$77 Million for excess funds to flow to permanent fund.	3/10 Senate Passed 3/10 House Passed w/amend 3/10 Senate Concurs. <b>3/10 Enrolling</b>

## ADMINISTRATIVE BILLS

Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Actions)
<b>H.B. 3</b>	Current FY Supplemental Appropriations	Rep. M Brown	Increases or decreases funds for FY11 (no change for DOGM). Also includes intent language to not lapse certain agency appropriations at the close of FY11 (DOGM may non-lapse up to \$400K).	3/8 House Passed 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>H.B. 18-S2</b>	Health Reform - Cost Containment	Rep. Daw	Amends the Retirement and Insurance Benefit Act; new employees after July 1, 2011 would default to HDHP/HSA unless they make another choice. Substitute requires DHRM create online employee training on HDHP; requires employees attend health plans training.	2/4 House Passed 2/17 Senate Passed w/Sub 2/18 House Concurs <b>2/22 Enrolling</b>

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<b>H.B. 54-S3</b>	Electronic Communications in Public Meetings	Rep. Powell	Modifies the Open & Public Meetings Act to allow member of a public body to transmit an electronic message to other members of the public body when the public body is not convened in an open meeting.	2/11 House Passed 3/2 Senate Passed w/ Sub 3/3 House Concurs. <b>3/7 Enrolling</b>
<b>H.B. 97</b>	Consolidation of DEQ With DNR	Rep. Harper	Eliminates DEQ effective 7/1/2012, moving powers and duties to DNR, renamed the Dept of Natural Resources and Environment. Changes the Division of OGM to the Division of Energy, while retaining the Board as the Board of OGM. Creates an Office of Energy with DNR effective 7/1/2011.	1/31 Public Distribution 2/9 House Comm. Held 3/10 Bill Died.
<b>H.B. 128-S2</b>	Health Reform Amendments	Rep. Dunningan	Amends provisions related to state health system reform in the Health Code, the Insurance Code, and the Governor's Programs and requires changes to PEHP's procedures	2/25 House Passed w/amend 3/4 Senate Passed <b>3/7 Enrolling</b>
<b>H.B. 133-S1</b>	Employee Compensation Amendments	Rep. Dougall	Substitute #1 amends provisions related to employee sick and annual leave: discontinues sick leave retirement Option II for new employees, intent language to cash out excess sick and annual leave.	2/11 Public Distribution 2/28 House Comm. Held 3/10 Bill Died
<b>H.B. 138-S1</b>	Federal Receipts Reporting Requirements	Rep. Ivory	Requires state agencies to develop plans to operate if federal receipts are reduced by 5% and by 25% or more. Requires agencies to report federal receipts information by 10/31 each year to the Finance Div., and Finance will report to the Exec Appropriations Comm. by 12/1.	2/28 House Passed 3/10 Senate Passed amend 3/10 House Concurs. <b>3/10 Enrolling</b>
<b>H.B. 176-S2</b>	Audit of State Budgets	Rep. Christensen	Requires the Office of Legislative Auditor General to review and audit at least two entity budget appropriations per year. Repeal date of 7/1/2013 included in bill.	2/24 House Passed w/sub 3/10 Senate Passed amend 3/10 House Concurs. <b>3/10 Enrolling</b>
<b>H.B. 186</b>	Utah Code Technical Amendments	Rep. Galvez	Only replaces the terms "monies" and "moneys" with the term "money" throughout the Utah Code. Includes 40-6 and 40-10.	1/26 Passed House 2/4 Passed Senate <b>2/7 Enrolling</b>

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Actions)
<b>H.B. 280-S1</b>	State Agency Realignment	Rep. Harper	Creates an advisory council in the Governor's Code to study and make recommendations on consolidation of state agencies to achieve efficiencies in state government. Report to Gov. by 10/19/11.	3/1 House Passed w/sub 3/8 Senate Passed <b>3/9 Enrolling</b>
<b>H.B. 299</b>	Lobbying Activities by State and Local Govt. Agencies	Rep. Herrod	Modifies the Lobbyist Disclosure and Regulation Act to require disclosure of lobbying for or by a state or local governmental entity	2/24 Public Distribution 3/10 Bill Died.
<b>H.B. 315</b>	Accepting Federal Funds Amendments	Rep. Sumison	Amends the Federal Funds Procedures Act. Requires state review of requests > \$50,000; allows Legis. to decline to receive federal funds	2/18 Public Distribution 3/10 Bill Died.
<b>H.B. 328</b>	State Govt Work Week	Rep. Noel	Provides for a five-day work week for a state agency in the executive branch, to operate nine hours on a Mon. through Friday. Senate amendment has effective date of 9/17/11.	3/1 House Passed w/amend 3/10 Senate Passed w/amend 3/10 House Concurs <b>3/10 Enrolling</b>
<b>H.B. 330</b>	Budgetary Procedures Amend	Rep. M Brown	Addresses budget procedures and modifies language pertaining to non-lapsing funds, but no change to DOGM non-lapsing funds.	3/3 House Passed w/amend 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>H.B. 404</b>	State Health Insurance Amendments	Rep. Ipson	Requires a study by the Legislature's Retirement Interim Comm. of changes in the way the state provides health insurance to its employees, retirees, and their families	3/7 House Passed 3/10 Senate Passed amend 3/10 House Concurs <b>3/11 Enrolling</b>
<b>H.B. 477</b>	Govt Records Amendments	Rep. Dougall	Modifies GRAMA: a record does not include voicemail and text message; GRAMA fees can include overhead costs; identifies costs to be included for large records requests such as legal review costs; other items. 3/7 amend delayed implementation to July 1, 2011. After passage, more study and possible special session to amend.	3/3 House Passed 3/4 Senate Passed 3/4 Enrolled, then recalled. 3/7 Amend; Hse/Sen Passed <b>3/8 Governor Signed</b>
<b>H.B. 488</b>	Budgeting Procedures Amend	Rep. Dougall	Modifies the Budgetary Procedures Act concerning specific inclusions in the Governor's budget. Original bill provided that Governor may submit a budget to the Legislature but later amended back to requiring a Governor budget.	3/9 House Passed 3/10 Senate Passed amend 3/10 House Concurs <b>3/10 Enrolling</b>

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Actions)
<b>H.J.R. 16</b>	Joint Resolution Regarding Tax and Fee Changes	Rep. Powell	Amend the Utah Constitution to modify requirements for increasing or decreasing a state or local tax or fee.	1/28 Public Distribution 3/10 Bill Died.
<b>H.J.R. 24</b>	Master Study Resolution	Rep. Dee	Study items for 2011 Interim. Energy topics: ownership and operation of pore space for GHG injection, O&G severance taxes, new Office of Energy Development review, fiscal impact of extractive industries on state revenues.	3/10 House Passed 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>H.J.R. 37</b>	Joint Resolution on State Spending Limitations	Rep. Wimmer	Proposes to amend the Utah Constitution to limit appropriations to the amount state spent in preceding FY, adjusted by inflation and population; requires state surplus used for reserves, emergency prep, disaster relief; remaining surplus to be refunded to taxpayers.	2/17 Public Distribution 2/28 House Comm. Passed 3/10 Bill Died.
<b>H.J.R. 45</b>	Joint Rules Amendments for Establishing Base Budgets	Rep. Dougall	Establishes a base budget process for the Legislature using a formula of previous fiscal year budgets and new revenue estimates.	3/9 House Passed 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>H.J.R. 46</b>	Joint Resolution on State Health Insurance	Rep. Dee	Directs PEHP to change health premium share to 10% for employee, not increase dental premiums, decrease combined health premiums by 2% from FY2010, draw down reserves to fund the program.	3/10 House Passed 3/10 Senate Passed <b>3/10 Enrolling</b>
<b>S.B. 2</b>	New FY Supplemental Appropriations Act	Sen. Hillyard	Provides increases and decreases for FY12 budget in addition to base budget in SB 8. Includes HB 25 funding of \$100K.	3/8 Senate Passed 3/8 House Passed <b>3/9 Enrolling</b>
<b>S.B. 3</b>	Appropriations Adjustments	Sen. Hillyard	Final appropriation adjustment bill for FY11 and FY12. DOGM impact is \$6,300 reduction in FY12 to Minerals Program from passage of SB282 concerning small mining operations.	3/10 Senate Passed 3/10 House Passed <b>3/10 Enrolling</b>
<b>S.B. 6</b>	State Agency & Higher Ed. Compensation Appropriations	Sen. Hillyard	Provides FY12 compensation adjustments: increase for cost of retirement, reduces funds for 2% decrease in health insurance rates, adjusts employee health insurance premium share from 5% to 10%.	3/8 Senate Passed 3/8 House Passed <b>3/9 Enrolling</b>

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<b>S.B. 8-S1</b>	Natural Resources, Ag & Envir. Quality Base Budget	Sen. Hinkins	Appropriates a base budget for FY 2012, including DOGM and others. Appropriations subject to further change via other bills.	2/1 Passed Senate 2/2 Passed House <b>2/16 Governor Signed</b>
<b>S.B. 85-S3</b>	Legal Notice Amendments	Sen. Urquhart	Addresses the publication of statutorily required legal notices and their related costs. Limits newspapers to charge their "average advertisement rate" for legal notices required by law.	2/25 Senate Passed amend 3/10 House Passed amend 3/10 Senate Concurs <b>3/10 Enrolling</b>
<b>S.B. 127</b>	Post Retirement Employment Amendments	Sen. Liljenquist	Amends provisions related to a retiree who returns to work for a participating employer: retired employee after 7/1/10 can earn up to \$15,000 and retain pension, if minimum 60-day break in service.	2/24 Senate Passed amend 3/8 House Passed. <b>3/9 Enrolling</b>
<b>S.B. 160</b>	Federal Funds Procedures Act Amendments	Sen. Hillyard	Revises the approval procedures for federal funds through the Legislature. Includes provision if federal funds received exceed the amount approved through the Legislative process.	2/24 Senate Passed 3/9 House Passed <b>3/10 Enrolling</b>
<b>S.B. 308-S1</b>	Amendments to Public Employee's Benefit and Insurance Program	Sen. Liljenquist	Modifies the State Retirement and Insurance Benefit Act by amending retirement and long-term disability provisions. Includes new employees after 7/1/11 having 1 year instead of 30 days to make irrevocable election of hybrid or defined contribution retirement plan	2/24 Senate Passed w/sub 3/8 House Passed <b>3/9 Enrolling</b>
<b>S.B. 309</b>	Govt Records Access Management Act Amends	Sen. J Stevenson	Modifies GRAMA to a protected record for a govt employee receiving gross compensation < \$85,000, unless elected official	2/22 Public Distribution 3/10 Bill Died.
<b>S.J.R. 5-S1</b>	Joint Rules Resolution on Fiscal Note Process	Sen. Niederhauser	Enacts a legislative rule to provide a process for attaching a performance note on legislation that creates a new program or agency and to provide a review process based on the performance note. Programs that add significant services are also included.	2/1 Senate Passed 2/9 House Passed amend. 2/11 Senate concurs. <b>2/22 Enrolled.</b>
<b>BOX CAR BILLS</b>				
<b>H.B. 149</b>	Govt Law Amendments	Rep. Galvez		2/5 Box Car Bill
<b>H.B. 150</b>	Govt Law Modifications	Rep. Galvez		2/5 Box Car Bill

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Actions)
<b>H.B. 159</b>	Operational Amendments	Rep. Wilcox		2/5 Box Car Bill
<b>H.B. 160</b>	Efficiency Amendments	Rep. Wilcox		2/5 Box Car Bill
<b>H.B. 350</b>	Interstate Compact Env. Reg.	Rep. Harper		2/5 Box Car Bill
<b>H.B. 401</b>	Land Use Plans Amends	Rep. Noel		2/5 Box Car Bill
<b>H.B. 455</b>	Land Exchange Distr. Acct	Rep. Noel		2/5 Box Car Bill
<b>H.B. 460</b>	Cost Savings in State Govt	Rep. Perry		2/5 Box Car Bill
<b>H.B. 471</b>	Utah Energy Dev. Support	Rep. Hutchings		2/5 Box Car Bill
<b>H.B. 479</b>	Government Law Revisions	Rep. McIff		2/5 Box Car Bill
<b>H.B. 480</b>	General Govt Provisions	Rep. Cosgrove		2/5 Box Car Bill
<b>S.B. 74</b>	Infrastructure Expansion Fund – Natural Gas	Sen. Stowell		2/5 Box Car Bill
<b>S.B. 75</b>	Environmentally Restricted Zoning Districts	Sen. Madsen		2/5 Box Car Bill
<b>S.B. 79</b>	Open/Public Mtg Act Amend	Sen. Van Tassell		2/5 Box Car Bill
<b>S.B. 166</b>	Energy Amendments	Sen. Madsen		2/5 Box Car Bill
<b>S.B. 190</b>	Energy Cost Recovery and Renewable Energy Provisions	Sen. Hinkins		2/5 Box Car Bill
<b>S.B. 194</b>	Public Employees Health Program Amendments	Sen. Liljenquist		2/5 Box Car Bill
<b>S.B. 195</b>	State Employee Grievance Procedure Amendment	Sen. Liljenquist		2/5 Box Car Bill
<b>S.B. 196</b>	Utah Ret. System Modificatn	Sen. Liljenquist		2/5 Box Car Bill
<b>S.B. 219</b>	Budgetary Procedures Revis.	Sen. Hillyard		2/5 Box Car Bill
<b>S.B. 297</b>	Use and Disposal of Deep Water	Sen. Van Tassell		2/5 Box Car Bill
<b>S.B. 302</b>	General Govt Changes	Sen. Robles		2/5 Box Car Bill
<b>S.B. 303</b>	Mineral Dev. Amendments	Sen. Okerlund		2/5 Box Car Bill
<b>S.B. 315</b>	Amendments to Govt	Sen Davis		2/5 Box Car Bill
<b>S.J.R. 22</b>	Joint Res. Opposing Interior's Wilderness Re-Inventory	Sen. Hinkins		2/5 Box Car Bill